

DEBORAH A. COOKSEY, State Bar No. 118197
MARTIN H. KRESSE, State Bar No. 048132
MICHAEL L. SMITH, State Bar No. 217751
OAKLAND UNIFIED SCHOOL DISTRICT
1025 Second Avenue, Room 406
Oakland, CA 94606
Telephone: (510) 879-8535
Fax: (510) 879-1833

Attorneys for Defendants
OAKLAND UNIFIED SCHOOL DISTRICT,
KIMBERLY STATHAM and GOVERNING BOARD OF
THE OAKLAND UNIFIED SCHOOL DISTRICT

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

FARM MENG SAEPHAN,

Plaintiff,

vs.

OAKLAND UNIFIED SCHOOL DISTRICT;
KIMBERLY STATHAM, State Administrator of the
Oakland Unified School District; GOVERNING
BOARD OF THE OAKLAND UNIFIED SCHOOL
DISTRICT,

Defendants.

Case No. C 06 4428 JCS

**STIPULATION AND ~~PROPOSED~~ ORDER
CONTINUING DEADLINE FOR MOTION TO
COMPEL RE FACT DISCOVERY [Civil L.R. 6-
2 and 26-2]**

Plaintiff FARM MENG SAEPHAN and Defendants OAKLAND UNIFIED SCHOOL DISTRICT; KIMBERLY STATHAM, State Administrator of the Oakland Unified School District; GOVERNING BOARD OF THE OAKLAND UNIFIED SCHOOL DISTRICT, (collectively "Defendants"), by and through their respective attorneys of record, agree as follows:

WHEREAS, the present deadline to file a motion to compel on all fact discovery, based on the present fact discovery cutoff of November 16, 2007 and Civil Local Rule 26-2, is Thursday, November 29, 2007;

WHEREAS, the parties are aware of this Court's Standing Order which provides, inter alia, that in lieu of motions to compel, the parties are required to submit their discovery disputes to the

1 Court via joint letter. Absent specific guidance in that Order as to the timing of such a letter, the
2 parties understand November 29, 2007 to be the date by which such letter must be submitted to the
3 Court, absent an order providing otherwise;

4 WHEREAS, the parties are engaged in settlement discussions and are optimistic of
5 reaching an agreement which would lead to the potential resolution of this matter in its entirety;

6 WHEREAS, the parties wish to avoid burdening themselves and the Court with potentially
7 avoidable proceedings regarding fact discovery;

8 IT IS THEREFORE STIPULATED pursuant to Civil Local Rules 6-2 and 26-2, that the
9 deadline to file any joint letter regarding fact discovery disputes is continued up to and including
10 Friday, December 7, 2007.

11 ///

12 ///

13 ///

Accordingly, the parties respectfully request, pursuant to Civil Local Rules 6-2 and 26-2, that the Court continue the deadline to file any motion to compel regarding fact discovery up to and including Friday, December 7, 2007.

IT IS SO STIPULATED.

Dated: November 26, 2007

DEBORAH A. COOKSEY
Interim General Counsel

By: /s/
Michael L. Smith
Attorneys for Defendants

Dated: November 26, 2007


THE LEGAL AID SOCIETY
Christopher Ho

By: /s/
Christopher Ho
Attorneys for Plaintiff

GOOD CAUSE APPEARING, the deadline to file any motion to compel regarding fact discovery is continued up to and including Friday, December 7, 2007.

IT IS SO ORDERED.

Dated: November 27, 2007

THE HON  SPERO
JUDGE JOSEPH C. SPERO
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA